

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

ORDER

Plaintiff,

03-cr-40-bbc  
10-cv-419-bbc

v.

GREGORY J. PHILLIPS,

Defendant.

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Defendant Gregory Phillips has filed a motion for post conviction relief under 28 U.S.C. § 2255, seeking a reduction in the sentence imposed on him on August 20, 2003.

Defendant filed a motion for post conviction relief in August 2004. Once defendant filed a motion for post conviction relief, he lost his right to file any successive motion unless he obtained certification from a panel of the Court of Appeals for the Seventh Circuit. 28 U.S.C. § 2255 ¶8. He has not obtained the necessary certification. Therefore, his motion must be dismissed without consideration of its untimeliness or the merits of the claim.

Copy of this document has been  
provided to: Defendant  
this 28 day of July, 2010  
by S. Vogel  
S. Vogel, Secretary to  
Judge Barbara B. Crabb

ORDER

IT IS ORDERED that defendant Gregory Phillips's motion for vacation of his sentence pursuant to 28 U.S.C. § 2255 is DISMISSED because this court lacks the authority to entertain it.

Entered this 27<sup>th</sup> day of July, 2010.

BY THE COURT:

Barbara B. Crabb

BARBARA B. CRABB  
District Judge